

REMARKS

Review and reconsideration on the merits are requested.

Formalities

Applicants appreciate the Examiner acknowledging receipt of certified copies of the priority documents (there are three priority documents) and returning one initialed PTO/SB/08.

DETAILED ACTION

Claim Objections

Claims 11 and 12 are different.

Specifically, one of Q⁰ and T⁰ of the compound (I α) in claim 12 does not include a C₁₋₆ alkyl group which may have the same or different 1 to 3 groups selected from the following substituent group (A) and a C₃₋₈ cycloalkyl group which may have the same or different 1 to 3 groups selected from the following substituent group (A), which are included in one of Q and T of the compound (I) in claim 11. Thus, claim 11 is broader than claim 12.

Withdrawal of the objection is requested.

Claim Rejections - 35 U.S.C. § 112

Claims 1-21 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

The “square” is deleted from claim 1. This was a typographical error due to software. Claim 1 is indicated to be “currently amended”, but is really just returned to its form at filing.

With respect to the rejection of claims 13-20 under 35 U.S.C. § 112, first paragraph, because the specification is enabling for treating but not for preventing or inhibition of progression, in view of the fact that compounds (I) in claim 11 and the presence of pharmaceutical composition claim 10 directed to novel compounds (I α), Applicants amend claims 11-20 into method claims.

The Examiner is respectfully requested to consider such method claims, noting, for example, that claims such as claim 13 which contain language such as "which is an agent for the prevention, inhibition or progression", etc. were close to method claims in concept.

Consideration of these claims is believed to be acceptable in light of the indication of **Allowable Subject Matter** at page 7 of the Action.

Respectfully submitted,



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Date: December 23, 2008